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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixtieth year

Letter dated 17 May 2005 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General

Israel, the occupying Power, continues to build its expansionist Wall in the Occupied Palestinian Territory, in grave violation of international law, including international humanitarian law and human rights law, and in flagrant disrespect for the 9 July 2004 Advisory Opinion of the International Court of Justice and the will of the international community, as expressed in General Assembly resolution ES-10/15 of 20 July 2004.

Today, the Israeli Government announcement its intention to continue with its expansionist plans to extend its Wall around the "Maale Adumim" settlement, the largest illegal Israeli settlement located east of Jerusalem in the Occupied Palestinian Territory. If implemented, the so-called "Maale Adumim loop" plan, which was approved by the Israeli Ministerial Council in February 2005, will lead to the confiscation and the de facto annexation of even more Palestinian land. This will also separate and isolate Occupied East Jerusalem from the rest of the West Bank and will gravely exacerbate the freedom of movement of Palestinian civilians to and from East Jerusalem.

Moreover, upon completion of the so-called "Maale Adumim loop", Israel, the occupying Power, plans to begin construction on another section of its expansionist Wall, this time connecting the illegal settlement of "Gush Etzion" to Jerusalem from the south. The occupying Power intends to establish a separate apartheid-like road to allow Palestinians access to the West Bank, with a small entrance to Jerusalem only open for Israeli motorists travelling from the Jordan Valley. It should be reiterated that the continuation by Israeli of such illegal activities and practices is clearly intended not for security purposes, as claimed by the occupying Power, but to create facts on the ground with the intention of determining the future of Occupied East Jerusalem, which remains one of the most crucial issues in regards to negotiations of the final settlement, thus demarcating a new border in far departure from the pre-1967 borders.

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The building of the Wall and all of Israel's illegal practices are taking us farther away from a peaceful settlement and seriously undermining the two-State solution to the Israeli-Palestinian conflict. Indeed, this expansionist Wall, if not ceased and dismantled, will make the two-State solution physically impossible to achieve. Such grave threats to the search for peace and stability must be addressed by the international community and urgent efforts must be taken to bring the parties back to negotiations aimed at the implementation of the Road Map and the achievement of the two-State solution to the Israeli-Palestinian conflict.

The international community must continue to be seized of this critical matter and must undertake measures to compel Israel, the occupying Power, to cease carrying out such measures in the Occupied Palestinian Territory, including East Jerusalem, which constitute breaches of international law and are a grave detriment to the serious efforts being exerted to revive the fragile peace process. The Security Council in particular has the duty to address this issue and to take the necessary measures to ensure that Israel upholds its responsibilities and legal obligations and that Member States also uphold their legal obligations in this regard, as mentioned in the Advisory Opinion of the International Court of Justice and as overwhelmingly called for by the General Assembly in its resolution ES-10/15 and in numerous other resolutions.

The present letter is in follow-up to our previous 217 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 15 April 2005 (A/ES-10/300-S/2005/244) constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my regret to inform you that the Israeli occupying forces continue to use excessive and lethal force against the Palestinian civilian population under occupation. Since our last letter to you, at least 11 more Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 3,664. (The names of the martyrs that have been identified are listed in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Somaia **Barghouti**
Chargé d'affaires a.i.

Annex to the letter dated 17 May 2005 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Sunday, 10 April, to Monday, 16 May 2005)

Sunday, 10 April 2005

Nasser Samir Al Saafine (17 years old) (from wounds sustained on 9 January 2005)

Thursday, 14 April 2005

Ibrahim Mohamad Mahmoud Al-Hashash Al-Samiri

Tuesday, 26 April 2005

Iyyad Aid Rabie Al-Dweek

Thursday, 28 April 2005

Fatima Mahmoud Abu Abide

Monday, 2 May 2005

Shafik Awni Mostafa Abdelghani

Wednesday, 4 May 2005

1. Addi Mofide Assi (14 years old)
2. Jamal Jabre Ibrahim Assi (16 years old)
3. Abdelfattah Youssef Mahmoud Raddade (from wounds sustained on 2 May 2005)

Friday, 13 May 2005

Widad Mohamad Kamal Al-Kaoud Al-Tamimi

Monday, 16 May 2005

1. Omar Motie Abderahmane Asraoui
2. Mahmoud Hamdane Abu Shaar (18 years old) (from wounds sustained on 19 April 2005)

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* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 3,664.